ATTACHMENT A

CITY OF CORAL GABLES



Cory Mofield NRE Agreements Specialist 120 S. Riverside Plaza, Suite 1800 Chicago, IL 60606 312-638-5320 cory.mofield@mobilitie.com

January 19, 2016

Lina Hickman, Civil Engineer City of Coral Gables 2800 SW 72nd Street Miami, FL 33155 305-460-5048 lhickman@coralgables.com

RE: Mobilitie, LLC City of Coral Gables Code of Ordinances Section 70-74 Registration

Dear Ms. Lina Hickman:

Pursuant to the City of Coral Gables Code of Ordinances Section 70-74, this letter serves as registration of Mobilitie, LLC for the purpose of placing and maintaining infrastructure within the City right-of-way. Should you have any questions, please do not hesitate to reach out to us.

- (1) Cory Mofield 120 S. Riverside Plaza Suite 1800 Chicago, IL 60606 312-638-5320 cory.mofield@mobilitie.com
- (2) Mobilitie, LLC is a certified public utility that provides backhaul services that compete with, and augment, existing fiber solutions. As part of its services offering, Mobilitie, LLC constructs and maintains ownership of various operational structures within rightsof-way. Mobilitie, LLC does not provide communications services to customers at retail within jurisdictional limits of the city.
- (3) See attached certificate of insurance
- (4) See attached Florida Public Service Commission Alternative Access Vendor certification

(5) See attached performance bond

Respectfully submitted,

Cory Mofield
NRE Agreements Specialist

Attachments: certificate of insurance, Alternative Access Vendor certification, performance

bond

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1		O	20		
	None and	-	-		

CERTIFICATE OF LIABILITY INSURANCE

MOINV-3 OP ID: PS

DATE (MM/DD/YYYY)

11/13/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(les) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s). CONYACY NAME; PHONE (A/G, No. Ext); E-MAIL ADDRESS; Phone: 909-980-4211 Silverstone Insurance Services Fax: 909-980-4788 Jetton & Assoc Ins Svs Inc P.O. Box 1200 (Lic #0C04829) Rencho Cucamonga, CA 91729-1200 Brent Jetton, AAI, CIC INBURER(8) AFFORDING COVERAGE NAICH INSURER A: Federal Insurance Company 20281 INGURED Mobilitie LLC NSURERO: Great American E&S ins Co 37532 2220 University Drive INSURER C: Newport Beach, CA 92660 INSURER D: INSURER E INSURER F **COVERAGES** CERTIFICATE NUMBER: REVISION NUMBER: THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. TYPE OF INBURANCE POLICY EFF POLICY BXF POLICY NUMBER LIMITS GENERAL LIABILITY EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Es occure 1,000,000 X COMMERCIAL GENERAL LIABILITY 36036868 11/11/2015 11/11/2016 1,000,000 OCCUR CLAIMS-MADE 10,000 MED EXP (Any one person) CONTRACTUAL LIABILITY 1,000,000 PERSONAL & ADV INJURY 2,000,000 GENERAL AGGREGATE GEN'L AGGREGATE LIMIT APPLIES PER. 2,000,000 PRODUCTS - COMPIOP AGG \$ POLICY SEC X LOC COMBINED BINGLE LIMIT **AUTOMOBILE LIABILITY** 1,000,000 X 73591570 ANY AUTO 11/11/2015 11/11/2018 BODILY INJURY (Per person) 3 ALL OWNED AUTOS 8CHEOULED AUTOS NON-OWNED AUTOS BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per egoldent) X X HIRED AUTOS 8 \$ UMBRELLA LIAB X X OCCUR 5,000,000 **EACH OCCURRENCE** \$ FYCERRIAM 79897229 11/11/2015 11/11/2016 CLAIMS-MADE AGGREGATE 5,000,000 DED RETENTIONS WORKERS COMPENSATION X WC SYATU-AND EMPLOYERS' LUBILITY
ANY PROPRIETOR/PARTNER/EXECUTIVE
OFFICER/MEMBER EXCLUDED?
(Mandatory in NH) 71749082 11/11/2015 11/11/2018 1,000,000 E.L. EACH ACCIDENT N E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 If yes, describe under DESCRIPTION OF OPERATIONS below E.L. DISEASE - POLICY LIMIT | 8 1,000,000 Pollution Lisb PRE315985700 02/09/2015 | 02/09/2016 | Aggregate 5,000,000 DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, If more space is required) If required by written contract City of Coral Gables, its officers, directors, agents, servants, employees, successors and assigns are add'l insured to all liab policies except workers' comp, subjet to policy provision. Frimary/Non-Contributory Wording applies. Waiver of subro applies to all policies, subject to policy provisions. 30 Day Notice of Cancellation CERTIFICATE HOLDER CANCELLATION CICOR01 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. City of Coral Gables

AUTHORIZED REPRESENTATIVE

Coral Gables City Hall 405 Biltmore Way Coral Gables, FL 33134

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2 of 2 DOCUMENTS

In re: Application for certificate to provide alternative access vendor service by Mobilitie, LLC

DOCKET NO. 060626-TA; ORDER NO. PSC-06-0953A-PAA-TX

Florida Public Service Commission

2006 Fla. PUC LEXIS 563

06 FPSC 11:9

November 20, 2006, Issued

OPINION: [*1]

AMENDATORY ORDER

BY THE COMMISSION:

On November 15, 2006, we issued Order No. PSC-06-0953-PAA-TA. The purpose of the Order was to provide an Alternative Access Vendor Certificate. However, due to a scrivener's error, a company code rather than a certificate number was used. Therefore, Order No. PSC-06-0953-PAA-TA is amended to reflect that 8655 is the correct certificate number.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. PSC-06-0953-PAA-TA is hereby amended to reflect that 8655 is the correct certificate number. It is further

ORDERED that Order No. PSC-06-0953-PAA-TA is reaffirmed in all other respects.

By ORDER of the Florida Public Service Commission this 20th day of November, 2006.

Legal Topics:

For related research and practice materials, see the following legal topics: Energy & Utilities LawAdministrative ProceedingsPublic Utility CommissionsGeneral Overview



1 of 2 DOCUMENTS

In re: Application for certificate to provide alternative access vendor service by Mobilitie.

LLC

DOCKET NO. 060626-TA; ORDER NO. PSC-06-0953-PAA-TA

Florida Public Service Commission

2006 Fla. PUC LEXIS 595

06 FPSC 11:125

November 15, 2006, Issued

PANEL: [*1] The following Commissioners participated in the disposition of this matter: LISA POLAK EDGAR, Chairman; J. TERRY DEASON; ISILIO ARRIAGA; MATTHEW M. CARTER II; KATRINA J. TEW

OPINION: NOTICE OF PROPOSED AGENCY ACTION ORDER GRANTING CERTIFICATE TO PROVIDE ALTERNATIVE ACCESS VENDOR SERVICES

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Mobilitie, LLC (Mobilitie) has applied for a certificate to provide Alternative Access Vendor (AAV) services pursuant to Section 364.337, Florida Statutes. Upon review of its application, it appears that Mobilitie has sufficient technical, financial, and managerial capability to provide such service. Accordingly, we hereby grant Certificate No. TA079 to Mobilitie.

If this Order becomes final and effective, it shall serve as Mobilitie's certificate. Mobilitie should, therefore, retain this Order as proof [*2] of certification. We are vested with jurisdiction over this matter pursuant to Sections 364.335 and 364.337, Florida Statutes.

AAV providers are subject to Chapter 25-24, Florida Administrative Code, Part XIV, Rules Governing Alternative Access Vendor services. AAV providers are also required to comply with all applicable provisions of Chapter 364, Florida Statutes.

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) of \$ 50 if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed each December to Mobilitie for payment by January 30th. Neither the cancellation of the certificate nor the failure to receive a RAFs Return notice shall relieve Mobilitie from its obligation to pay RAFs.

Based on the foregoing, it

ORDERED by the Florida Public Service Commission that we hereby grant Certificate No. TA079 to Mobilitie, LLC, which shall authorize it to provide Alternative Access Vendor services, subject to the terms and conditions specified in [*3] the body of this Order. It is further

ORDERED that this Order shall serve as Mobilitie, LLC's certificate and should be retained by Mobilitie, LLC as proof of certification. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 15th day of November, 2006.

ORDER 06-0954 IS AVAILABLE UPON REQUEST

Legal Topics:

For related research and practice materials, see the following legal topics: Energy & Utilities LawAdministrative ProceedingsPublic Utility CommissionsGeneral Overview

SITE ID: MI90XS167 / 9FLB000630

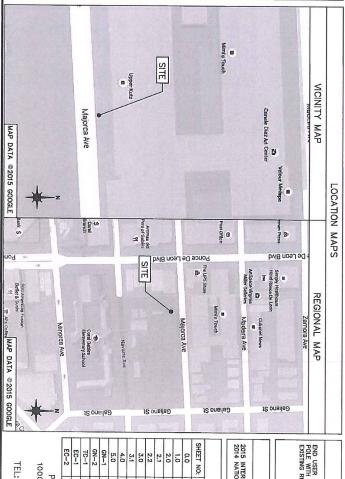
The City of Coral Gables PUBLIC WORKS PERMIT APPLICATION

DATE: 2/4/2016	PUBLIC WORKS PERMIT #:					
ALL OF THE FOLLOWING MUST BE FILLED IN BY APPLICANT ACCORDING TO FS 713.135						
Building Permit#	Building Bond #1041559					
Application #	Control #					
Square Footage:	Estimated Cost \$15,000.00					
Type of Permit: () Waterway Const. Utility CONTRACTOR'S LICENSE NUMBER: CGC1505328	() Paving () Side Walk () Other () Encroachment () Obstruction of Right of Way					
CONTRACTOR'S LICENSE NUMBER: CGC1505328 CONTRACTOR'S BUSINESS NAME: Regency Comm	unications INC. Phone Number: (954) 868-4657					
Address: 4332 NW 120th Avenue City: Co	unications INC. Phone Number: (954) 868-4657 pral Springs State: FL Zip Code: 33065					
Address: 1000 Holcomb Woods PKWY STE. 210 City:	P. Marshall & Associates, LLC Phone Number: (678) 280-2325 Roswell State: GA Zip Code: 30076					
SITE ADDRESS: Majorca Ave/Ponce De Leon Blvd., Cora LEGAL DESCRIPTIONS: Lots	al Gables FL 33134 Folio #Section					
OWNER'S NAME: Florida Utility Pole Authority c/o Cheri The Address: 3475 Piedmont Rd NE, Suite 1000 City: At	Ompson Phone Number: (954) 464-6572 Janta State: GA Zip Code: 30305					
WORK DESCRIPTION:						
To install a 75 ft utility pole within an existing	right-of-way.					
	and agrees to conform to the standard specification of the City of Coral rks concerning work to be performed in the public right-of-way.					
OWNER'S AFFIDAVIT: I certify that all foregoing information applicable laws regulating construction and zoning.	on is accurate and that all work will be done in compliance with all					
Cheri Thompson	Print Name NAME/QUALIFIER					
Print Name: NAME/QUALIFIER.						
Signature: WAME QUALIFIER						
The foregoing instrument was acknowledged before me this The foregoing instrument was acknowledged before me this day of felment by Cheri Thompson Day of Felment by John J. House of the by John J. House of the by John J. House of the bound						
who has taken an oath and:	who has taken an oath and:					
() is personally known to me. **Thas produced a **Disseis (isses as identific	()∕is personally known to me. eation () kas produced a 100 () ∫ as identification					
My Commission Expires: Octoba 17, 2018	My Comm sept Commission # FF 215481 Expires April 8, 2019					
"AFFICIAL SFAL"	Expires April 8, 2019 Bonded Thu Troy Fell Instruction Programmer Bonded Thu Troy Fell Instruction Programmer					

"OFFICIAL SEAL"
ERNESTO CRUZ

Notary Public, State of Illinois My Commission Expires Oct. 17, 2018

MAJORCA AVE / PONCE DE LEON BLVD SITE ID: 9FLB000630/MI90XS167 CORAL GABLES, FL 33134



DBA ID: SITE ID: LATITUDE:

GROUND ELEVATION: ± 8.1' AMSL

LAT/LONG TYPE:

NAD 83/NAVD 88
± 8.1' AMSL
MIAMI-DADE COUNTY

9FLB000630 MI90XS167 25.755272

-80.257951

APPLICANT ADDRESS:

120 S. RIVERSIDE PLAZA SUITE 1800 CHICAGO, IL 60606 PHONE: (312) 638—5400 APPLICANT:

FLORIDA UTILITY POLE AUTHORITY

ADDRESS/CROSS ST: MAJORCA AVE/PONCE DE LEON BLVD

PROPERTY OWNER:

PUBLIC RIGHT-OF-WAY

SITE INFORMATION

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICAM WILL VIST THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OF EFFECT ON DRAINAGE, NO SANTARY SEMER SERVICE, POTRALE WATER OF TRACH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

GENERAL NOTES

PROJECT DESCRIPTION

PROPOSES TO INSTALL A PROPOSES WOOD UTILITY
POLE WITH PROPOSES SMALL CELL EQUIPMENT WITHIN AN
EXISTING RIGHT-OF-WAY.

CHECKED BY

FOR CLEN REVIEW FOR CLEN REVIEW POLE AUTHORITY

FLORIDA UTILITY

CODES
2015 INTERNATIONAL BUILDING CODE
2014 NATIONAL ELECTRICAL CODE

EROSION CONTROL DETAILS	EC-2
EROSION CONTROL PLAN	EC-1
TRAFFIC CONTROL PLAN	TC-1
GENERAL NOTES	GN-2
GENERAL NOTES	GN-1
GROUNDING DETAILS	5.0
ELECTRICAL DETAILS	4.0
ANTENNA & EQUIPMENT MOUNTING DETAILS	3.1
ANTENNA & EQUIPMENT MOUNTING DETAILS	3.0
POLE ELEVATION	2.2
POLE ELEVATION	2.1
POLE ELEVATION	2.0
SITE PLAN & EXHIBIT PHOTO	1.0
TITLE SHEET	0,0
SHEET TITLE	HEET NO:
DRAWING INDEX	

P. MARSHALL & ASSOCIATES, LLC 1000 HOLCOMB WOODS PKWY STE. 210 ROSWELL, GA 30076 TEL: (678) 280-2325 FAX: (678) 280-2329

CONTRACTORS SHALL VERIFY ALL PLANS, EXERNIC DIMENSIONS & FIELD CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTITY THE APCHITECT PAIGNIEER IN HETITING OF ANY OR BE DESCRIPTANCES SECRET PROCEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

BEFORE SCALING DRAWINGS

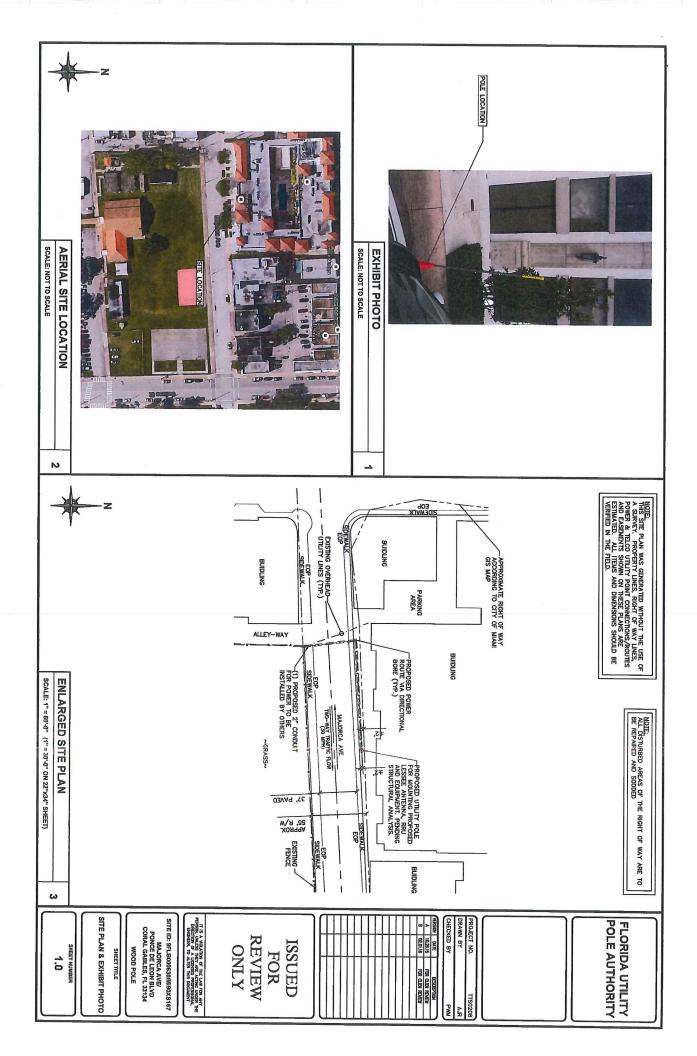
FLORIDA DEPARTMENT OF TRANSPORTATION

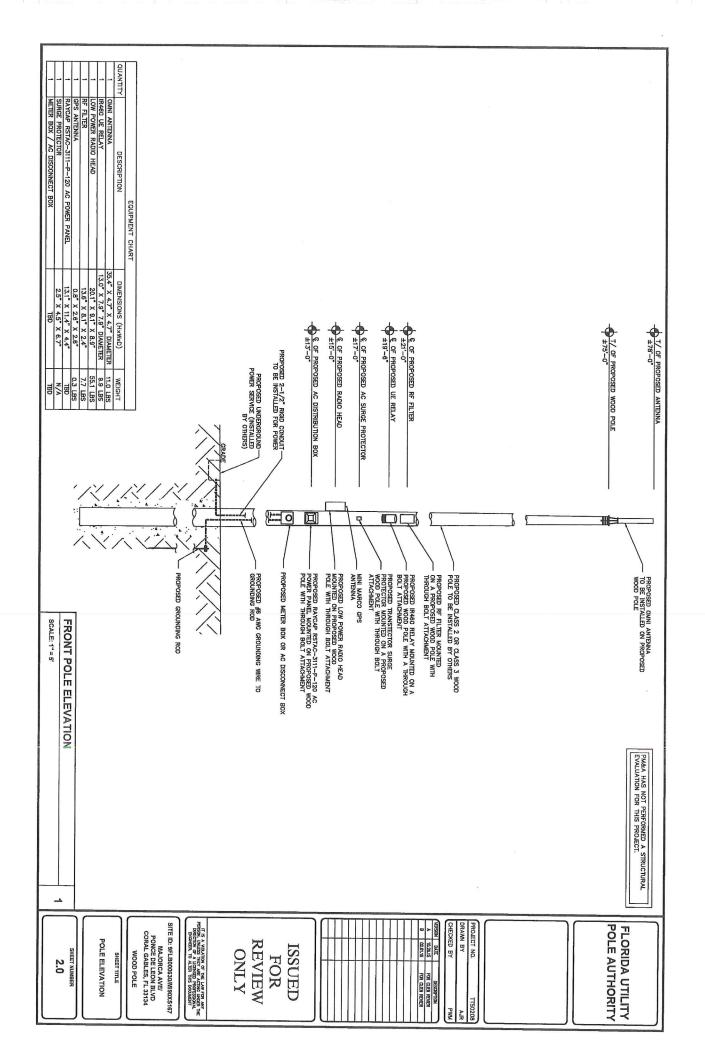
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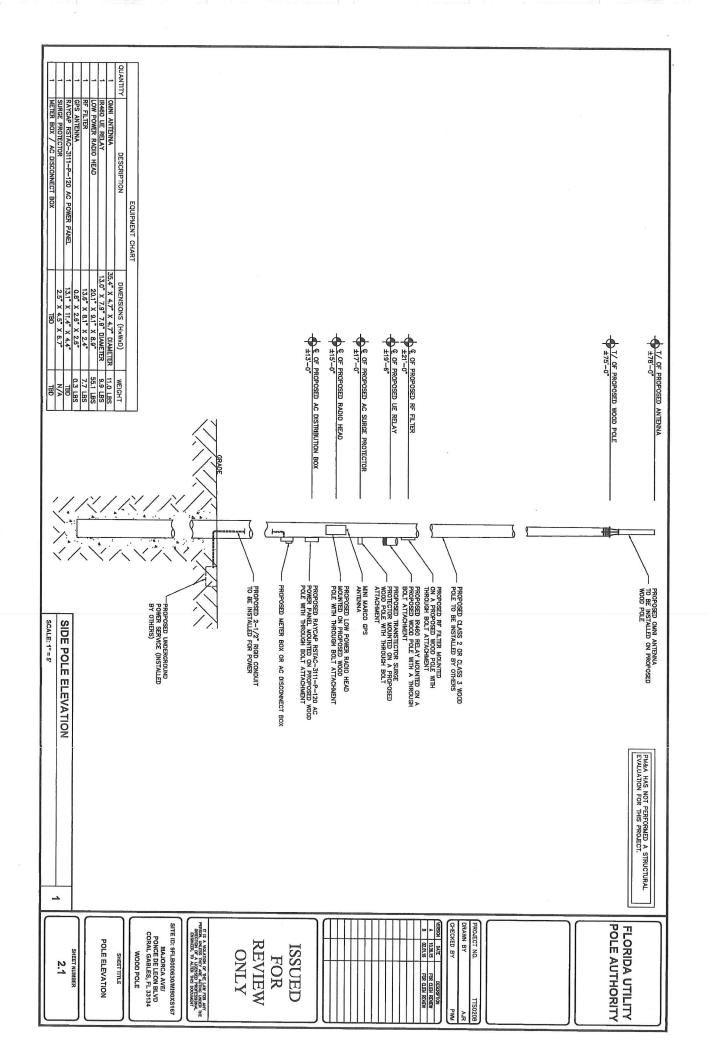
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MAJORCA AVE/
PONCE DE LEON BLVD
CORAL GABLES, FL 33134
WOOD POLE

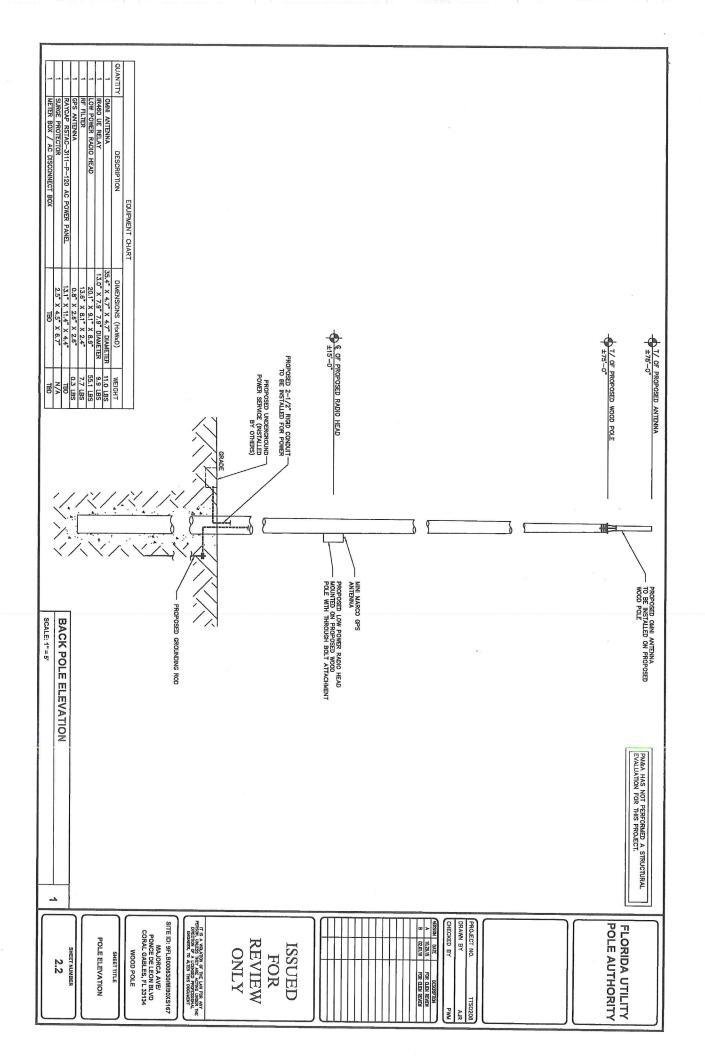
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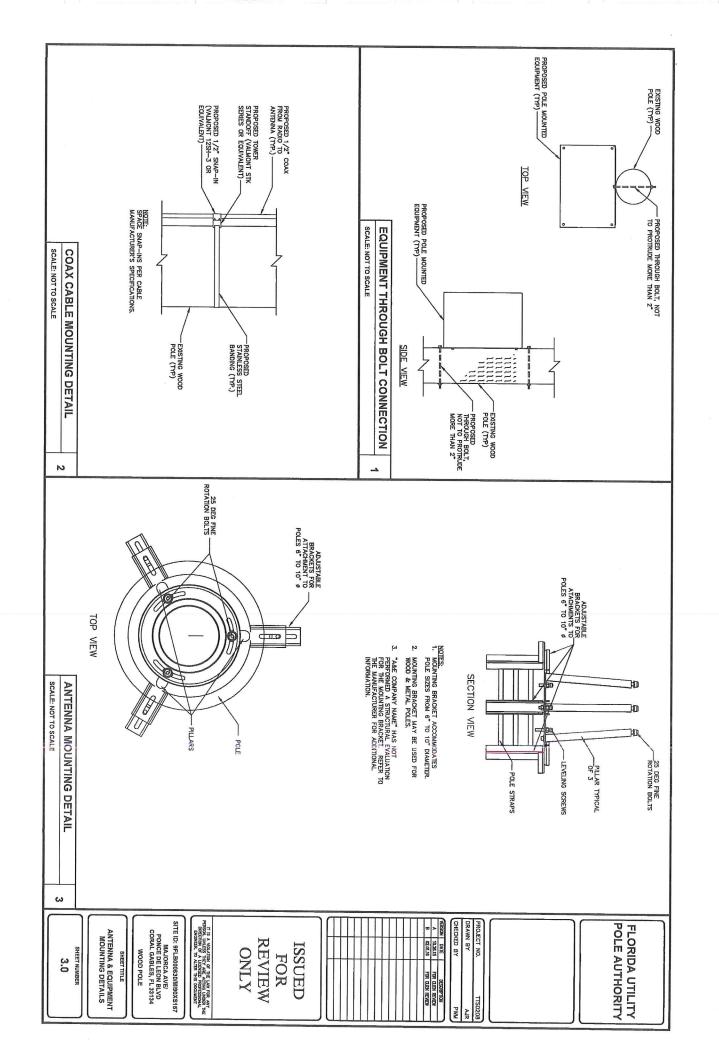
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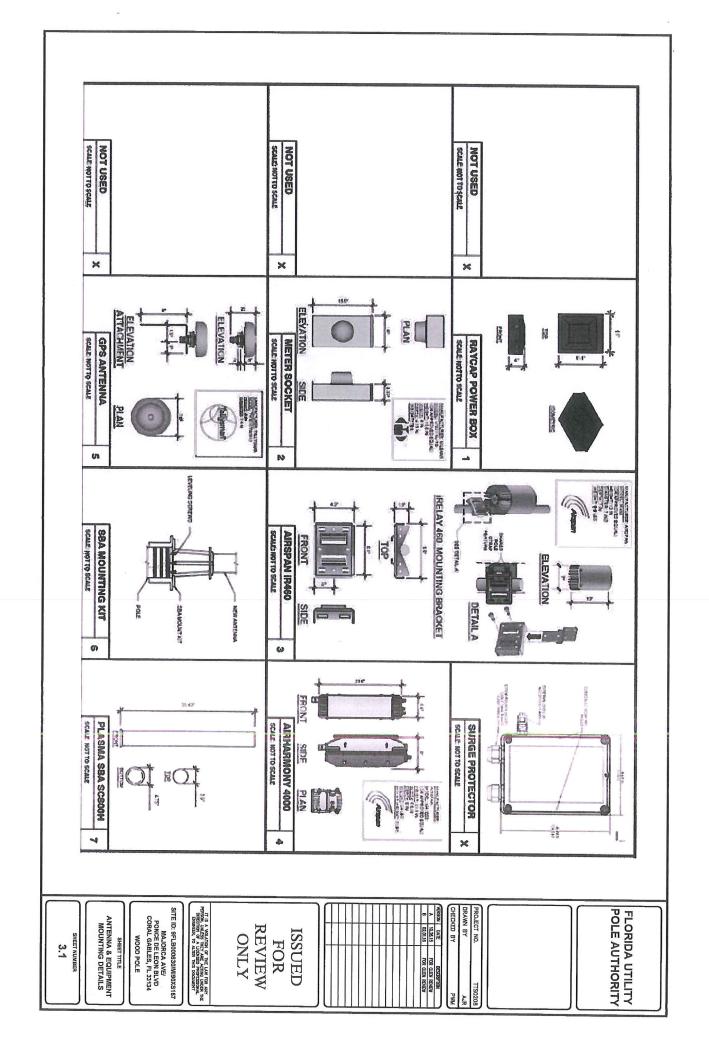


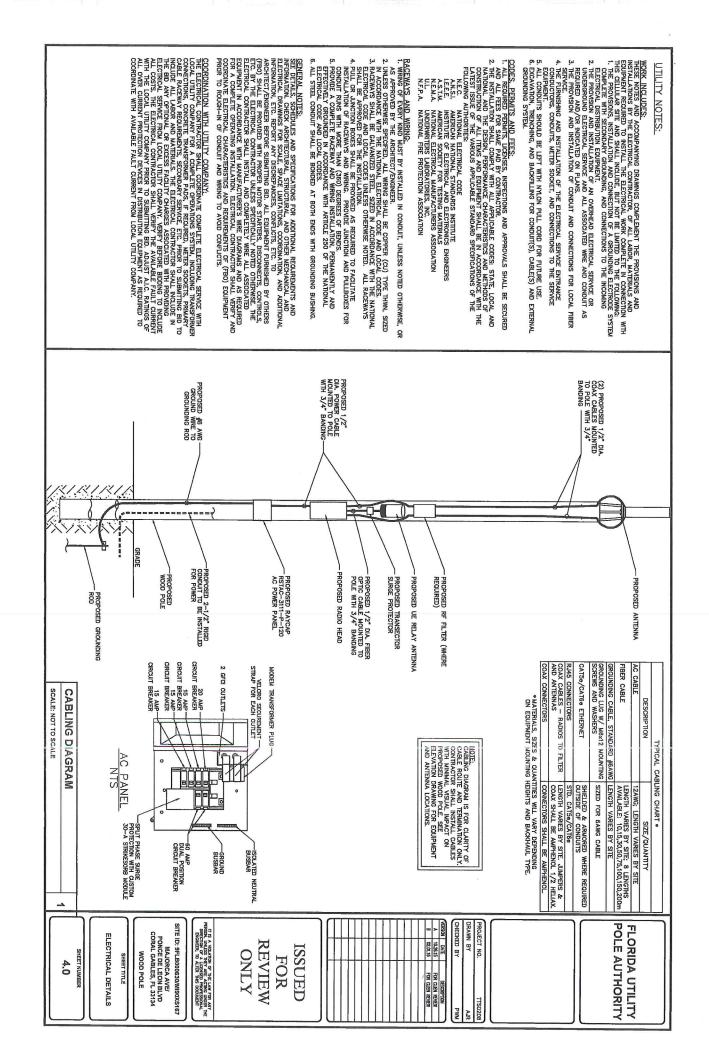


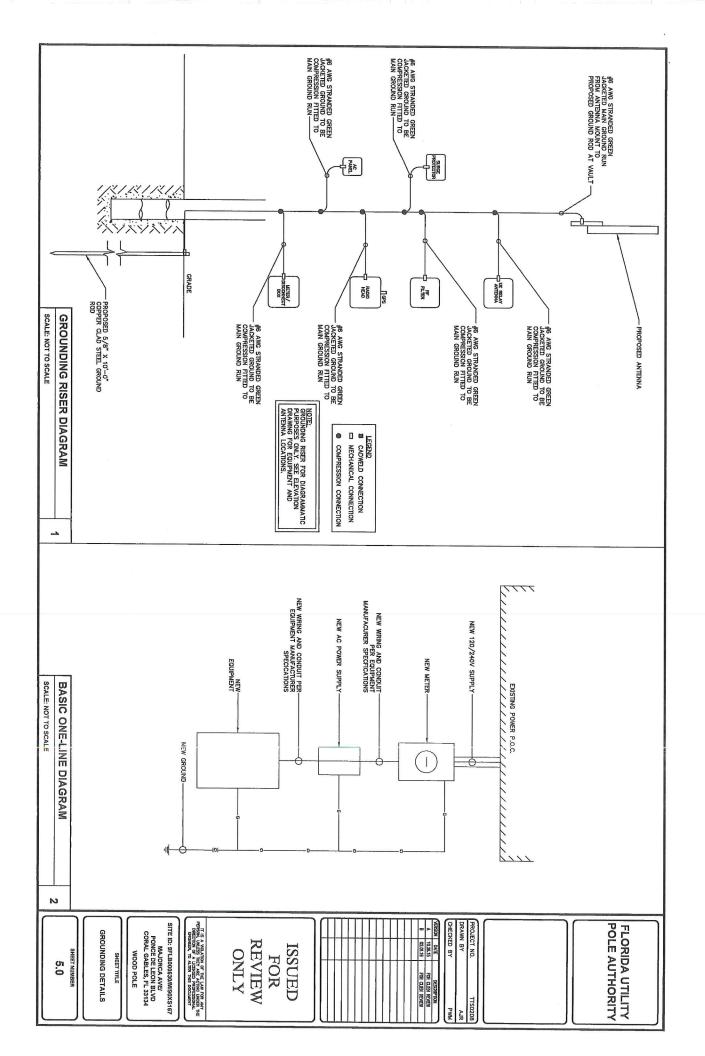












GENERAL

THE CONTRACTION DOCUMENT DRAWINGS ARE INTERRELATED. WHEN PERFORMING THE WORK, EACH CONTRACTOR MUST REFER TO ALL DRAWINGS. COOPDIVATION IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

GENERAL REQUIREMENTS

PART 1 - GENERAL

- ORIAN AND SUBMIT RELEASE ENABLING THE OWNER UNRESTRICTED USE OF THE WORK AND ACCESS TO SERVICES AND UTILITIES; INCLUDE OCCUPANCY PERMITS, OPENATING CERTIFICATES AND SIMILAR RELEASES.

 SUBMIT RECORD DAMINIOS. DAMAGE OR SETTLEBENT SURVEY, PROPERTY SURVEY, AND SIMILAR FINAL RECORD INFORMATION. OR SETTLEBENT SURVEY, PROPERTY SURVEY, AND COMPLETE FINAL OCCUPANCY OF REQUIREMENT, INCLUDING TOUCH—UP PANTING. TOUCH UP AND OTHERWISE REPAIR AND RESTORE MARRED EXPOSED FINISHES.

PART 2 - FINAL CLEANING

- COMPLETE THE FOLLOWING CLEANING OPERATIONS BEFORE REQUESTING INSPECTION FOR CERTIFICATION OF COMPLETION.

 A CLEAN THE PROLECT SITE, YARD AND GROUNDS IN AREAS DISTURBED BY CONSTRUCTION ACTIMIES, INCLINION, UNDECASE DISTURBED, AREA OF RUBBISH, WASTE MITERIALS, LITTER AND FOREIGN SUBSTANCES. SHEEP PARED AREAS BROOM CLEAN, RESURVE PETION—CHANICAL SELLS, SYNIOS AND OTHER PROSEDUR DEPOSITS, RANGE GROUNDS, THAT ARE NEITHER PLANTED NOR PANED, TO A SMOOTH REPAIL TOWNED SUBSTANCES SHEED FAMED. TO BE REMOVE TOOLS, CONSTRUCTION EQUIPMENT, IMACHINERY AND SURPLUS MATERIAL FROM THE SITE.

 C. REMOVE SHOW, AND ICE TO PROVIDE SAFE ACCESS TO THE SITE AND EQUIPMENT ENCOURSE.

- D. CLEW POPOSED PATEIOR HARD SURPACED FINISHES TO A DIST. THEE CONDITION, FREE OF STIMES, THUS AND SUML AR TORSIGN SUBSTANCES. AND DISTURBING RANGE PATEING FOR THE STATE STATE OF THE STATE STA

SITE WORK

- WORK INCLUED; SEE SITE PLAN.

 DESCRIPTIONSE PAPELICUEL LESSE AREA, AND UNDERGROUND UTILITY EXSEMENTS ARE
 TO BE CONSTRUCTED O PROVIDE A WELL DRAWIED, ESSIL'S MANITANED, EYEN SURFACE
 FOR USE AND ACCES.

 A PERLY SOLIC STERULZER IN ACCORDANCE WITH MANUFACTURER'S
 BECOMMENDATIONS (AS NEEDED),
 B. APPLY AND MANITANI GRASS SEED AS RECOMMENDED BY THE SEED PRODUCER
 C. PLACE AND MANITANI GRASS SEED AS RECOMMENDED BY THE SEED PRODUCER
 C. DACE AND MANITANI GRASS SEED AS RECOMMENDED WITHIN THE
 C. CHACE AND MANITANI SCREFATION LANDSCAPING, IF NICLLIDED WITHIN THE
 C. CHACE AND MANITANI SCREFATION LANDSCAPING, IF NICLLIDED WITHIN THE
 SECRIPTION OF THE SECRIPTION CONTROL, AS RECOMMENDED BY MARSERY INDUSTRY STANDARDS.
- SEQUENCING A. CO
- 'n
- Ġΰ
- CONSTRUCTION MANAGER AND LOCAL AUTHORITIES.

 RY CONSTRUCTION MANAGER AND LOCAL AUTHORITIES.

 APPLY SOIL STEMLIZER PROPER TO PLACING BASE MATERIALS.

 GRADE, SEED, FERTILIZE, AND MULCH ALL AREAS DISTURBED BY CONSTRUCTION (INCLUDING INDESEROUND) UTILITY EASTBARTS), MIEDIANELY ATTER BRINGING LOSE, AREA TO BASE COURSE BLACKTON, WATER TO ENSURE BROWTH.

 ATTER APPLICATIONS OF FINAL SURFACES, APPLY SOIL STEMLIZER TO STONE SURFACES.
- 2.1

- CONFIRM SURVEY STAKES AND SET ELEVATION STAKES PRIOR TO ANY CONSTRUCTION.

 CONSTRUCT TEMPORARY CONSTRUCTION AREA, DESIGNATED AREA TO RE

- 5. SUBMITTALS BETORE CONSTRUCTION: IF LANDSCAPING IS APPLICABLE TO THE CONTRACT, SUBMIT TWO COPIES OF THE LANDSCAPE PLAY ON NURSERY LETTERHEAD. IF A LANDSCAPE FALLOWANCE WAS INCLUDED IN THE CONTRACT, PROVIDE AN ITEMAZED LISTING OF PROPOSED COSTS ON NURSERY LETTERHEAD AFTER CONSTRUCTION

 1. WANUFACTURERY'S DESCRIPTION OF PRODUCT AND WARRANTY

 1. WANUFACTURERY'S DESCRIPTION OF PRODUCT AND WARRANTY
- Manufacturer's description of product and Warranty Statement on soil Steriuzer. Manufacturer's description of product on grass seed and
- FERTILIZER.
 LANDSCAPING WARRANTY STATEMENT

6. WARRANTY

- IN ADDITION TO THE WARRANTY ON ALL CONSTRUCTION COVERED IN THE CONTRACTO SYMLL REPAIR ALL DAMAGE AND RESTORE AREA AS CLOSE TO ORIGINAL CONDITION AS POSSIBLE AT SITE AND SURROLUNDINGS.
- ъ ja SURFIGURINGS.
 SURFIGURING APPLICATION TO GUARANTEE VEGETATION FREE AREAS FOR SOIL STEW FROM APPLICATION TO GUARANTEE VEGETATION.
 DISTURBED AREA WILL AREAGET GROWTH OF RAW GRASS COVER PRIOR TO FINAL INSPECTION.
 ENSPECTION.
 LANISCAPING, IF INCLUDED WITHIN THE SCOPE OF THE CONTRACT, WILL BE GUARANTEED FOR ONE YEAR FROM DATE OF FINAL INSPECTION.
 - Ö

PART 2 - PRODUCTS

1. MATERIALS

A. SOIL STERIUZER SHALL BE EPA—REGISTERED, PRE—EMERGENCE LIQUID:

TOTAL KILL
PRODUCT 910
EPA 10292-7
(313) 563-8000

PHASAR CORPORATION P.O. BOX 5123 DEARBORN, MI 48128

AMBUSH HERBICIDE EPA REGISTERED

FRAMAR INDUSTRIAL PRODUCTS 1435 MORRIS AVE. UNION, NJ 07083

(800) 526-4924

B. ROAD AND SITE MITERALS SHALL CONFORM TO STATE AND LOCAL DOT SECRIFICATIONS FILL MITERAL (UNLESS OFFERMES NOTE). — ACCEPTABLE SELECT FILL SHALL BE IN ACCORDANGE WITH STREED EPARTMENT OF HIGHWAY AND TRANSPORTATION STANDARD SECRIFICATIONS.
C. SOIL STABILIZER FABRIC SHALL BE MIRAFI SOON.

- PART 3 EXECUTION
- IN ADWANCE OF CONCRETE POURS, UNESS OTHERWISE SECRETION OF LESS THAN 48 HOURS
 IN ADWANCE OF CONCRETE POURS, UNESS OTHERWISE SECRETIED BY LIKENSCIPION
 2. PREPARATION
 2. PREPARATION
 4. CLEAR BRUSH AND DEBINS FROM LEASE AREA AND UNDERGROUND UTILITY
 EXSEMBITS AS REQUIRED FOR CONSTRUCTION
 5. HOUSE OTHERWISE INSTRUCTION FOR LESSEE, TRANSPORT ALL REMOVED TREES,
 18 HOUSES OTHERWISE INSTRUCTION FOR LESSEE, TRANSPORT ALL REMOVED LIKENSCIPION
 5. HOUSE MATERIAL CONTINUES AND LIKE SOLL
 5. HAVER VISTABLE BUIL CONTINUES AND LIKE SOLL
 5. HOUSE VISTABLE BUIL CONTINUES AND EDITION BUILD LIKENSCIPION
 5. STABLEZH MAT FROM TO PLANSMENT OF FILL OR BUSE MATERIAL
 5. HINSTALLATION.
- 3. INSTALLATION

 A. CLEAR EXCESS SOULS, IF ANY, FROM JOB SITE AND DO NOT SPREAD BEYOND
 THE LIMITS OF PROJECT AREA UNLESS AUTHORIZED BY PROJECT MANAGER AND
 ACREED TO BY LANDOWNER.

 PLACE FILL OR STONE IN SIX NICH (8") MANIMUM LIFTS, AND COMPACT BEFORE
 PLACING NEXT UIF.

 C. APPLY SEED, FERTILIZER, AND STRAW COVER TO ALL OTHER DISTURBED AREAS,
 OTHERWISE, AND OTHERWISE RIPRAPPED, DITCHES, AND OTHERWISE STRAFF, NOT OTHERWISE RIPRAPPED,
 DITCHES, AND TOWNAGE SWALES, NOT OTHERWISE RI

- SOLUTION OF SEED IN TWO DIRECTIONS IN TWICE THE CONTINUE COMMENDED BY THE SEED PRODUCER.

 SEED PRODUCER.

 F. ENSUIRE GROWIN 10 C SEEDED AND LANDSCAFED AREA, BY WATERWAG, UP TO THE POINT OF RELEASE FROM THE CONTROL. CONTINUE TO REWORK THE BARE FIELD CHAPT, CONTROL. CONTROL OF CONTROL OF CONTROL ON ACHIEVED ON AS-BUILT DAMINICAS.

 BROTECT SEEDEN AREAS ERON. EROSINA RY SERENANCE TRAW. TO A INMERCAL A PROTECTION.
- A LORGED SEEDS DAESS FROM ERGISION BY SPREADING STRAW TO A UNIFORM A LORGE DEPTH OF THE STAKE AND THE DOWN AS REQUIRED LOSS OF THE DOSS OF THE STAKE AND THE DOWN AS REQUIRED LOSS OF THE STAKE AND THE SHAFT OF THE SHAFT AND THE SHAFT OF THE SHAFT AND THE SHAFT OF THE SHAFT AND THE S

FLORIDA UTILITY POLE AUTHORITY

ECKED BY

10.26.15 02.01.16 FOR CLEN REVIEW FOR CLEN REVIEW

REVIEW ISSUED FOR

ONLY

IT IS A VOLATION OF THE LAW FOR ANY RESON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENS THAS DOCUMENT

SITE ID: 9FLB000630/MI90XS167 MAJORCA AVE/ PONCE DE LEON BLVD CORAL GABLES, FL 33134 WOOD POLE

SHEET NUMBER

GENERAL NOTES

SHEET TITLE

GN-1

ECTRICAL

CONTRACTOR SHALL REVIEW THE CONTRACT DOCUMENTS PRIOR TO ORDERING THE ELECTRICAL COLUMNATOR WAS ARRIVED THE ACTUAL CONSTRUCTION. CONTRACTOR SHALL ISSUE A WRITTEN NOTICE OF ALL FINDINGS TO THE ARCHITECT/POINNEER USING ANY DISCREPANCIES. OF CONFLICTING HOPERMATION.

ELECTRICAL PLANS, DETAILS AND DIAGRAMAS ARE DIAGRAMATIC OLILY, VERBY EXACT LOCATIONS, ADM MOUNTRIO HEIGHTS OR ELECTRICAL EDUPAIDM WITH OWNER PRIOR TO

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INSTALLATION.

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AND ALL APPLICABLE CODES.
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B. EXTERNAL 'n

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2. MANUFACTURES BY THE ASSED ALL CABLE TO CABLE CONNECTIONS

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SHALL BE HIGH PRESSURE DOUBLE ORIGIN TO SHALL SHALL BE

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LUGS SHALL BE 2—HOLE, LONG BARREL, STRAND COPPER UNLESS OTHERWISE SPECIFIED IN THE CONTRACT DOCUMENTS, LUGS SHALL THOMAS AND BETTS SERIES #54.___BE OR EQUIVALENT

2 WHEN THE DIRECTION OF THE CONDUCTOR MUST CHANGE, IT SHALL BE DONE GRADUALLY, THE CUPRATURE OF THE TURN SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING CHART:

NO. 6 AWG TO NO. 4 AWG NO. 2 AWG TO NO 1/0 AWG NO. 2/0 AWG TO 4/0 AWG 250 MCM TO 750 MCM GROUNDING CONDUCTOR SIZE

POLES, POSTS, AND STANDARDS (SINGLE MAST AND SELF SUPPORTING TOWERS)

1. GENERAL A 'n

LIGHTHING ROD AND EXTENSION PIPE INCLUDING ALL APPURTENANCES, TO FURNISHED BY OWNER, IF REQUIRED.
GROUNDING: GROUND METAL POLES WITH A MINIMUM OF \$\frac{1}{2}Z\text{ AWG TINNED SOLID BARE COPPER CONDUCTOR CADWELDED TO TOWER BASE PLATE.

TELECOMMUNICATIONS WIRING COMPONENTS (COAXIAL ANTENNA CABLE)

A. LI MATERIAL, PRODUCTS OR PROCEDURES INCORPORATED INTO WORK SHALL BE REW AND OF STANDARD COMMERCIAL QUALITY.

B. ALL MATERIALS AND PROJUCTS SPECIFIED IN THE CONTRACT DOCUMENTS SHALL BE SUPPLIED BY THE CONTRACTION UNLESS NOTED OTHERWISE.

SHALL BE SUPPLIED BY THE CONTRACTION UNLESS NOTED OTHERWISE.

A. CONAUL CHEET.

B. CONAUL CHEET.

INSTALL COAXIAL CABLE AND TERMINATIONS BETWEEN ANTENNAS AND EQUIPMENT PER MANUFACTURER'S RECOMMENDATIONS WITH

COMMAL CABLES SUPPORTED AT NO MORE THAN 3"-0" O.C.

WENTHERPROOF ALL CONNECTORS BETWEEN THE ANTENAM AND EQUIPMENT FOR MANUFACTURERY'S REQUIREMENTS. TEXAMANTE ALL COMMAL CABLE THEE TEXT (3) IN EXCESS OF EQUIPMENT LOCATION UNLESS OTHERWISE STATED.

2. LENGTHS LESS THAN OR EQUAL TO 100 FEET SHALL BE 7/8".

3. ANTENAM AND COMMAL CABLE GROUNDING

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1. TESTING: LESSEE SHALL PROVIDE AN INDEPENDENT ISST OF PROVIDE ONE
COMPACTOR IS TO PROVIDE ONE
CLIMBER/QUALIFIED PERSONNEL.

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CUMBER/QUALIFIED PERSONNEL
CUMBER/QUALIFIED PERSONNEL
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REPARS NO WEATHERPROCHING ONCE THE
A MINIMUM OF 48 HOURS NOTICE PRIOR TO THE
SMEEP TEST.

GROUND ROOS: ALL GROUND RODS SHALL BE 5/8-INCH DIMETER X 10'-O"
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INDICATED, GROUND ROOS SHALL BE DRIVEN FULL LENGTH VERTICAL IN
UNDISTURED SHALL BE CONTROL CONDUCTORS SHALL BE STANDARD
GROUND CONDUCTORS: ALL GROUND CONDUCTORS SHALL BE STANDARD
TINKED SOLD BARE COPPER ANGLED, AND OF SIZE INDICATED ON
DRAWINGS UNLESS OTHERWISE NOTED.

535 MCM | 262 MCM | \$1/0 DLO \$4/0 THW \$2/0 THW \$2 THHN \$6 DLO MCM DLO 54809E 54820BE 54972BF AND BARE 54662BE 54607BE 54607BE 54207BE

MINIMUM BENDING
RADIUS TO INSIDE EDGE

GROUNDING RESISTANCE TEST REPORT: UPON COMPLETION OF THE TESTING FOR EACH STE, A TEST REPORT SHOWING RESISTANCE IN OHAS MUST ES SUBMITTED, TWO (2) SETS OF TEST GOLUMENTS FROM THE INDEPENDENT TESTING SERVICE ARE TO BE BOUND AND SUBMITTED WITHIN ONE (1) WEEK OF WORK COMPLETION.

6 INCHES 8 INCHES 12 INCHES 24 INCHES

N. SPDS SHALL HAVE AN IMAX OF AT LEAST 80KA 8/20 PER NEMA IS-1. N. SPDS SHALL BE CERTIFIED AS CLASS II PRODUCTS WITH AN IN OF 20KA AND IMAX OF SQUA ACCORDING TO THE IECE 61643-11:2011 (ed. 1.0) STANDARD FOR "LOW YOLTAGE SURGE PROTECTIVE DENGES, PART 1: STANDARD FOR "LOW YOLTAGE SURGE PROTECTIVE DENGES ONNICCTED TO LOW YOLTAGE POWER DISTRIBUTION SYSTEMS — REQUIREMENTS AND TEST".

VII. THE ABOVE CERTIFICATION OF THE SPD SHALL HAVE BEEN COMPLETED BY AN ORGANIZATION AUTHORIZED BY IEC TO CONDUCT PRODUCT CERTIFICATIONS ACCORDING TO IEC 61643—11:2011.

ELECTRICAL REQUIREMENTS OF ELECTRICAL PROTECTION TECHNOLOGY

1. GENERAL

A. THE STRIKESORB 30-A SPDS (SURGE PROTECTIVE DEVICES) INCLUDED IN THE A THE STRIKESORB 30-A SPDS (SURGE PROTECTING). TRANSIENT YOLTAGES, SURGE CURRENTS, LIGHTNING AND OTHER ELECTRICAL PHENOMENA:

AND OTHER ELECTRICAL P I. SPDS SHALL BE SUITABLE FOR SAFE OPERATION IN 120 VAC POWER APPLICATIONS.

> POLE AUTHORITY FLORIDA UTILITY

III. SPDS SHALL BE DERTIFIED BY UL, SE TYPE 2 COMPONENT ASSEMBLIES PER UL 1449 4TH EDITION.

IV. SPDS SHALL BE CERTIFIED BY UL AS TYPE 2 COMPONENT ASSEMBLIES FER UL 1449 4TH EDITION.SPDS SHALL HAVE A VOLTAGE PROTECTION RATING (YPE) OF NO MORE THANY TORY, AND NOMINAL DISCHARGE CURRENT [IN]: 2014 PER UL 1449 4TH EDITION. II. SPOS SHOULD UTILIZE VOLTAGE LIMITING ELEMENTS (JE. SILICON AVALANCHE DIODES OR METAL OXIDE VARISTORS), TET PROHIBIT USE SWITCHING ELEMENTS (J.E. SPARK CAP OR GAS TUBE DEVICES) AND PROHIBIT THE USE OF INTERNAL (THERMAL) DISCONNECTS. 유

DATE 10.26.15 02.01.16 FOR CLEN REVIEW

REVIEW ISSUED ONLY FOR

IT IS A VIOLATION OF THE LAW FOR ANY SOM, UNLESS THEY ARE ACTING UNIDER THE DIRECTION OF A LICENSED PROFESSIONAL DIRECTION OF ALICEN THIS DOCUMENT

SITE ID: 9FLB000630/MI90XS167 MAJORCA AVE/ PONCE DE LEON BLVD CORAL GABLES, FL 33134

WOOD POLE

SHEET TITLE

GENERAL NOTES

SHEET NUMBER

GN-2

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SIDEWALK

(1) PROPOSED 2" CONDUIT
FOR POWER TO BE
INSTALLED BY OTHERS ~GRASS~ PROPOSED UTILITY POLE
FOR MOUNTING PROPOSED
LESSEE ANTENNA, RRU
AND EQUIPMENT. PENDING
STRUCTURAL ANALYSIS. BUIDLING 37' PAVED APPROX. 150' SIDEWALK

NAJORCA AVE

TWO-WAY TRAFFIC FLOW

TWO-WAY TRAFFIC FLOW

TWO-WAY TRAFFIC FLOW EXISTING -BUIDLING SCALE: 1" = 60'-0" (1" = 30'-0" ON 22"x34" SHEET) TRAFFIC CONTROL PLAN SITE ID: 9FLB000630/MI90XS167 FLORIDA UTILITY POLE AUTHORITY TRAFFIC CONTROL PLAN IT IS A MODATION OF THE LAW FOR ANY DESCRIPTION OF A LICENSES PROPESSIONAL AND REPORT THE DIGHTERY TO ALTER THIS DOCUMENT MAJORCA AVE/ PONCE DE LEON BLVD CORAL GABLES, FL 33134 REVIEW ONLY ISSUED FOR WOOD POLE SHEET NUMBER TC-1 SHEET TITLE FOR CLEN REVIEW

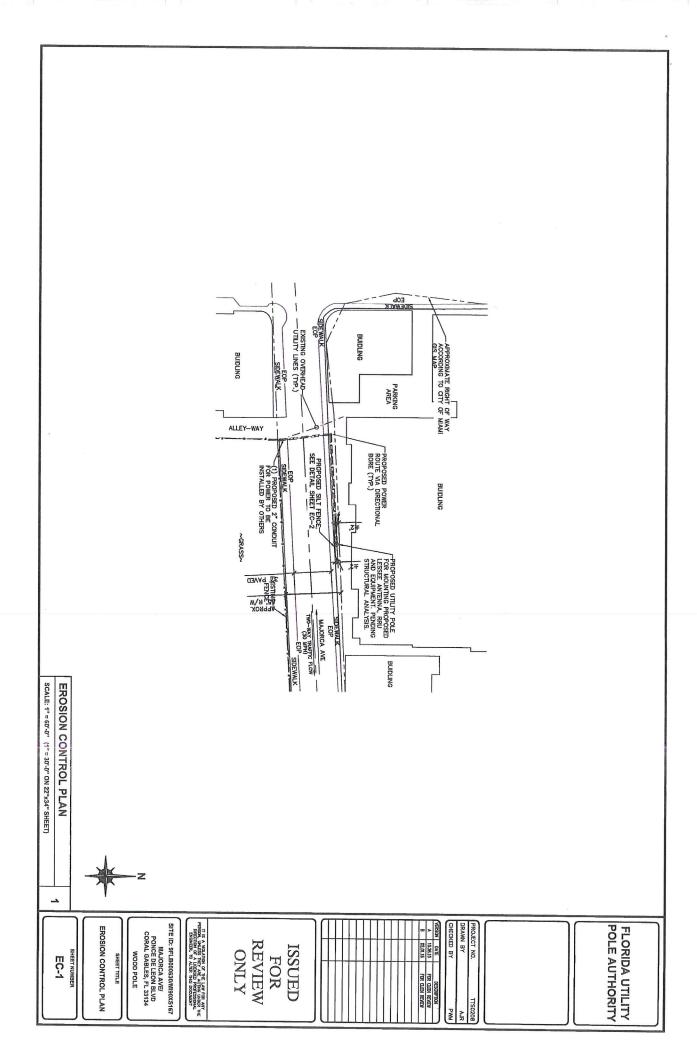


Figure V-40: Illustration of a Silt Fence Barrier WOOD OR STEEL POST
INSTALLED BEFORE
COMPACTING BACKFILL
MATERIAL STATE OF FLORIDA EROSION & SEDIMENT CONTROL-DESIGNER & REVIEWER MANUAL 24-IN. MINIMUM, HEIGHT FABRIC MATERIAL MUST BE PLACED IN A 6-IN. x 6-IN. TRENCH WITH A "L" SHAPE BEFORE BACKFILLING AND COMPACTING THE SOIL. BACKFILL TRENCH TRENCHING METHOD SPACING OF POSTS ARE 5- TO 8-FT. APART FENCE FABRIC MATERIAL MUST BE SECURELY FASTENED TO THE POSTS OR (IF USED) TO THE WIRE MESH COMPACTED BACKFILL MATERIAL RUNOFF BARRIER FABRIC MATERIAL B DIRECTION OF RUNOFF WATER TO 12-IN. ATTACHING TWO SILT FENCES WHEN TRENCHING IS USED INSTALI SLICING METHOD RUNOFF WHEN FABRIC IS INSTALLED IN A TRENCH WITH COMPACTED SOIL, ANCHORS CAN BE ATTACHED TO REDUCE THE POTENTIAL OF "BLOWOUTS" (NOT NEEDED IF "SLUCING" METHOD IS USED) LATION ROTATE BOTH POSTS
AT LEAST 180.
DEGREES IN A.
CLOCKINGS DIRECTION
TO CREATE A TIGHT
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ABOUT 12-IN. INTO THE
GROUND AND BURY THE
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OF ONE FENCE INSIDE
THE END POST OF THE
OTHER FENCE STEEL OR WOOD
POST INSTALLED
AFTER COMPACTION
OF "SLICE" I (MINIMUM) © 2001 Hodrack William SILT FENCE DETAILS SCALE: NOT TO SCALE **EROSION CONTROL DETAILS** SITE ID: 9FLB000630/MI90XS167 POLE AUTHORITY FLORIDA UTILITY MAJORCA AVE/ PONCE DE LEON BLVD CORAL GABLES, FL 33134 REVIEW ONLY ISSUED FOR WOOD POLE EC-2 HEET NUMBE SHEET TITLE FOR CLEN REVIEW FOR CLEN REVIEW

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MELBOURNE

om

MIAMI NAPLES ORLANDO TALLAHASSEE TAMPA

Gary I. Resnick Attorney At Law

954-761-8111

GARY.RESNICK@GRAY-ROBINSON.COM

March 15, 2016

VIA ELECTRONIC & US MAIL

Cory Mofield
NRE Agreements Specialist
Mobilitie, L.L.C. d/b/a Florida Utility Pole Authority
120 S. Riverside Plaza
Suite 1800
Chicago, IL 60606
Cory.Mofield@Mobilitie.com

RE: City of Coral Gables, FL: Mobilitie, L.L.C. d/b/a Florida Utility Pole Authority ("Mobilitie"): Registration and Permit Application

Dear Mr. Mofield:

We represent the City of Coral Gables, FL ("City"), which has asked me to review the registration materials Mobilitie filed with the City pursuant to your correspondence dated January 19, 2016, as well as the Addendum to the registration materials submitted with your correspondence dated February 4, 2016 (collectively "Registration"). In addition, this addresses the Permit Application filed by Mobilitie's contractor on February 4, 2016 ("Permit Application"). There are several issues with the Registration as well as the Permit Application as detailed below. Accordingly, this letter sets forth the City's rejection of the Registration and the reasons for such rejection. Since Mobilitie does not have an effective Registration and has not complies with other applicable provisions of the City Code as detailed below, the City will not process the Permit Application.

1. Evidence of Insurance Coverage: Section 70-81(a) of the City Code provides: "All liability policies shall provide that the city is an additional insured as to operations under the registration and shall provide this severability of interest provision." We have reviewed the Certificate of Liability Insurance submitted with the Registration. The comments on the Certificate provide: "If required by written contract the City of Coral Gables, its officers, directors, agents, servants, employees, and assigns are additional insured to all liab policies...." The Certificate is not required by written contract with the City; rather, it is required pursuant to Section 70-81(a) of the City Code. Further, the coverages section of the Certificate provides: "This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or

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Cory Mofield NRE Agreements Specialist Mobilitie, L.L.C. d/b/a Florida Utility Pole Authority March 15, 2016 Page 2 of 3

condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions and conditions of such policies." As indicated, the Certificate of Liability Insurance is required pursuant to the City Code; not pursuant to any contract or other document. The Certificate of Liability Insurance does not satisfy the City Code's registration requirements.

2. Performance Bond: Section 70-83 of the City Code provides: "At the time of registration, the registrant shall file with the city, for city approval, a cash security, a bond, or irrevocable letter of credit, in the sum \$50,000.00, in a form acceptable to the city manager or his designee..... The cash security, bond, or irrevocable letter of credit, shall be to secure the full and faithful performance by the registrant of all requirements, duties and obligations imposed upon registrant by the provisions of this article and to pay any taxes, fees or liens owed to the city." The Performance Bond submitted by Mobilitie, Bond No. 1041559, does not comply with this requirement of the City Code. It provides in the first "Whereas Clause" the following:

Principal contemplates constructing communications facilities in the public right of way within the jurisdiction of the Obligee, and that has been issued a permit by said Obligee for this purpose. The above mentioned permit sets forth the terms and conditions which govern the access and use of the right of way and said permit is specifically referred to and made a part of this bond, with like force and effect as if herein at length set forth.

This language is not correct. Rather, the purpose of the security fund is to fulfill the Registration obligations pursuant to the City Code; it is not to fulfill any obligations under a permit. Rather, if the Registration is accepted and Mobilitie applies for a permit, the City will determine at that point whether to require a construction bond and the amount of such construction bond. Accordingly, the Performance Bond submitted is not acceptable.

3. Use of Rights of Way: Section 70-78(a) of the City Code provides: "A facility owner agrees at all times to comply with and abide by all applicable provisions of the state statutes and local laws including, but not limited to, applicable zoning regulations not inconsistent with state and federal laws." In the Registration, Mobilitie provided that it: "constructs and maintains ownership of various operational structures within rights-of-way." Addendum to Registration. While the Registration did not provide further information as to the specific operational structures Mobilitie intends to construct and maintain within the rights-of-way, the Permit Application and plans accompanying the Permit Application contain information as to such structures. Specifically, the Permit Application provides that Mobilitie intends to construct a 75" "utility pole," antenna, and associated facilities within a particular location in the right-of-way. Since Mobility intends to construct wireless telecommunications facilities within the rights-of-way, it is required to comply with Article 5, Division 20 of the City's Zoning Code,

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PROFESSIONAL ASSOCIATION

Cory Mofield NRE Agreements Specialist Mobilitie, L.L.C. d/b/a Florida Utility Pole Authority March 15, 2016 Page 3 of 3

which sets forth guidelines for siting wireless telecommunications towers and antennas.¹ A permit cannot be issued until Mobilitie submits an application pursuant to Section 5-2003 and such application has been approved through the appropriate procedures, in addition to obtaining an effective registration. Accordingly, the City will not process the Permit Application at this time. Because the review of applications under Section 5-2003 is more involved, the City recommends that if Mobilitie seeks to move forward, that it submit the application pursuant to the Zoning Code prior to submitting for registration.

Accordingly, pursuant to City Code Section 70-74(c), based on the deficiencies with the Registration, the Registration is not effective. If you have any questions, please do not hesitate to contact me.

Very truly yours

Gary I. Resnick

GIR: is

cc:

Lina Hickman, City Engineer (via email) Craig Leen, City Attorney (via email)

The City's Zoning Code is available on its website at, http://www.coralgables.com/modules/showdocument.aspx?documentid=1636.

FLORIDA UTILITY POLE AUTHORITY

925B Peachtree St. NE, Suite 710, Atlanta, GA 30309

March 29, 2016

Mr. Gary I. Resnick Gray Robinson Attorneys at Law 401 East Las Olas Blvd., Suite 1000 Fort Lauderdale, Florida 33301 (954) 761-8111 Gary.resnick@gray-robinson.com

RE:

City of Coral Gables, FL: Mobilitie, L.L.C. d/b/a Florida Utility Pole Authority ("Mobilitie"): Registration and Permit Application

Dear Mr. Resnick:

This letter is in response to your correspondence dated, March 15, 2016, and is intended to better inform you of Mobilitie, LLC, d/b/a Florida Utility Pole Authority (hereinafter "FUPA"), as a public utility with competitive local exchange carrier ("CLEC") status in all fifty (50) states. Additionally, FUPA is considered a certificated public utility recognized by Florida Public Utility Commission. FUPA constructs and provides transport services to support a variety of uses, including M2M and IoT applications. FUPA is constructing a new, nationwide hybrid transport network as competition to existing fiber backhaul networks. This will facilitate the next generation of devices and data-driven services and to meet our ever-growing demand for connectivity. This network combines fiber, repeaters, and microwave technologies to ensure that the network is cost-efficient, low-impact to communities, and can be effectively upgraded and augmented in the future. FUPA's hybrid transport network can be used to support connected vehicles (commercial, personal and agricultural), remote weather monitoring stations, mobile service providers and much more. FUPA constructs new facilities in the public right-of-way and will also attach to existing infrastructure, such as light and utility poles within the rights-of-way.

Pursuant to your correspondence, FUPA is placed under Coral Gables Telecommunications Municipal Code Chapter 70, Sec. 70-81. Chapter 70 of the Coral Gables code requires FUPA to comply with the "applicable zoning regulations not inconsistent with state and federal laws"¹, specifically Article 5, Division 20 of the City's Zoning Code, in order to install telecommunication facilities, which provide cellular or mobile services to end users. In contrast, FUPA provides transport services, similar to electric, gas, telephone, and cable providers. FUPA is considered a certificated public utility recognized by Florida Public Utility Commission, to deliver telephone and/or telecommunications services as an Alternative Access Vender, similar to Competitive Local Exchange Carriers ("CLEC") or other interexchange providers, AVV Certificate Number 8655. Furthermore, FUPA's primary purpose of the poles is to provide backhaul solutions through a hybrid wire/wireless network. The end result is the transport of third party data through FUPA's infrastructure network. FUPA is akin to a telephone or electric grid network that allows data or electricity to pass through its lines, with the only difference being FUPA also utilizes wireless solutions to expand the reach of its transport network without the need for costly and burdensome excavations. Accordingly, FUPA does not fall within Article 5, Division 20 of the City's Zoning Code, which is only applicable to telecommunications facilities.

Additionally, you advised that permit applications will not be processed unless submitted under Section 5-2003 of the City Code. Section 5-2003 of the code requires "[a]pplications for a telecommunications facility on any

¹ Section 70-78(a).

property owned, leased, or otherwise controlled by the City shall require a lease agreement approved by the City Commission..." This section of the code is not applicable because FUPA is not intending to install telecommunication facilities. FUPA does not hold licenses from the FCC and is not regulated by FCC. Section 5-2003 also requires FUPA to enter into an agreement with the City of Coral Gables. Under Florida Statute, a municipality or county may not require an agreement as a condition of entering and occupying the right-of-way. Florida specifically preempts the ability of municipalities and counties to require franchise fees from providers of communications services such as FUPA. Further, a municipality or county may not charge any taxes or fees for operating as a provider of communications services if such fee is in any way related to the use of the right-of-way. Moreover, Florida requires municipalities to treat providers of communications services in a nondiscriminatory and competitively neutral manner. Wherefore, the Section 5-2003 requirement of a lease agreement in order to obtain a permit to access the public-right-of-way is not in accordance with Florida State Statute §337.401(3).

For the above-mentioned reasons the City of Coral Gables Telecommunications Use of Rights of Way Section 70-78(a) and Zoning Code Section 5-2003 are not applicable to FUPA and our permit applications. Nevertheless, it appears FUPA would fall under Chapter 62, Article III of Coral Gables Municipal Code. Section 62-59 explicitly provides: "the director of public works shall be authorized, upon completed application being made, to issue to any person a permit to work on, to cut into, dig, or make excavations in any of the streets...sidewalks... or easements in the city for the purpose of... setting poles..., provided that the applicant complies with the public works department standard specifications...". At this time, FUPA requests that you provide us with any pertinent information as it pertains to obtaining permits to implement our utility structures under Chapter 62 of Coral Gables Municipal Code.

Please contact me with any questions or concerns you may have regarding this communication. I can be reached by phone at (470) 755-8667 or e-mail at roger.simpson@itbutility.com. I look forward to your response and working with you in the future.

Sincerely,

Roger Simpson

Director Government Relations

² Fla. Stat. §337.401(3)(a).

³ Fla. Stat. §337.401(3)(e).

⁴ Fla. Stat. §337.401(3)(f).

⁵ Fla. Stat. §337.401(3)(a)-(b).

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MELBOURNE

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NAPLES

ORLANDO

TALLAHASSEE

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June 6, 2016

VIA ELECTRONIC & US MAIL

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Roger Simpson Director Government Relations Florida Utility Pole Authority 925B. Peachtree St. NE Suite 710 Atlanta, GA 30309 Roger.Simpson@itbutility.com

Cory Mofield NRE Agreements Specialist Mobilitie, L.L.C. d/b/a Florida Utility Pole Authority 120 S. Riverside Plaza Suite 1800 Chicago, IL 60606 Cory.Mofield@Mobilitie.com

> Mobilitie, LLC d/b/a Florida Utility Pole Authority ("Mobilitie") Re: Registration and Permit Application

Dear Messrs. Frankiewich, Simpson & Mofield:

We represent the City of Coral Gables ("City"). This addresses and responds to the various correspondence and materials submitted by Mobilitie to the City.

Mobilitie's Request:

Mobilitie seeks a permit to install a "Proposed Concrete Pole for Mounting Proposed Lessee Antenna, RRU and Equipment" in a certain location in the City's Public Rights-of-Way ("ROW"). (Permit Application). The construction drawings submitted for the site plan are

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inconsistent indicating on some plans that Mobilitie seeks to install a 75' wood pole and on other plans a 75' concrete pole in the ROW. In essence, Mobilitie seeks to install a 75 ft. pole – either wood or concrete -- in the ROW and lease the pole for the installation of an antenna extending approximately 3' above the pole to provide wireless services. There are questions as to whether the services are "communications" services, or whether the facilities are "communications facilities" that are addressed in detail below.

Pursuant to such request, Mobilitie has submitted registration materials pursuant to the City's Communications Ordinance, Section 70-71 *et. seq.* of the City Code ("Communications Ordinance"). We reviewed materials submitted previously by Mobilitie for such registration and determined that Mobilitie did not satisfy the registration requirements. We further determined that before Mobilitie would be able to obtain a permit to install its pole and antenna in the ROW, it would need to comply with Article 5, Division 20 of the City's Zoning Code. See Correspondence dated March 15, 2016, to Corey Mofield ("March 15 Letter").

Mobilitie has submitted further registration materials and various correspondence to address the March 15 Letter.

Materials Reviewed:

We are in receipt of and have reviewed the following materials submitted by Mobilitie:

- 1. Cover Letter from Michael Nuckols to Lina Hickman re: Mobilitie, L.L.C. d/b/a Florida Utility Pole Authority Permit Application Submission, dated April 25, 2016, Enclosing:
 - a. Public Works Permit Application, dated April 25, 2016 ("Permit Application")
 - b. Certificate of Liability Insurance, dated April 21, 2016
 - c. Exhibits: Site plans and construction drawings
 - 2. Letter from Bruce T. Frankiewich re: Mobilitie, LLC d/b/a Florida Utility Pole Authority ("Applicant") Application ("Application") for permit approval of new utility infrastructure facility in the public Rights-of-Way of Coral Gables, FL, dated April 25, 2016 ("Frankiewich Letter")
 - 3. Performance Bond (#1041559), dated January 13, 2016
 - 4. In re: Application for certificate to provide alternative access vendor service by Mobilitie, LLC, Notice of Proposed Agency Action Order Granting Certificate to Provide Alternative Access Vendor Services, dated November 15, 2006 & Amendatory Order, dated November 20, 2006 ("Alternative Access Vender Certificate").

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- 5. Certificate of Liability Insurance, dated January 28, 2016
- 6. Letter from Cory Mofield to Lina Hickman're: Florida Utility Pole Authority City of Coral Gables Code of Ordinances Section 70-74 Registration, dated February 4, 2016
- 7. Letter from Roger Simpson re: City of Coral Gables, FL: Mobilitie, L.L.C. d/b/a Florida Utility Pole Authority ("Mobilitie"): Registration and Permit Application, dated March 29, 2016 ("Simpson Letter").

In addition, we have engaged in telephone communications with Mobilitie's representatives.

Mobilitie's Position:

In response to the March 15 Letter, Mobility maintains that it is a communications provider entitled to register to use the City's ROW pursuant to the City's Communications Ordinance and that it does not have to comply with Art. 5, Division 20 of the City's Zoning Code. These are addressed below.

Registration:

Mobilitie's materials indicate that Mobilitie has not satisfied the registration requirements contained within the Communications Ordinance. The Certificate of Insurance dated April 21, 2016, does not satisfy the Code's requirements, and the Performance Bond is not in compliance with the Code for the reasons stated in the March 15 Letter. Mobilitie's materials are often inconsistent as to whether it is a "provider of communications services" or whether it seeks to place or maintain "communications facilities" in the ROW. If Mobilitie is not a provider of communications services or does not seek to place or maintain communications facilities, the registration process under the City Code is not available. Thus, for purposes of evaluating

Mobilitie also asserts that it cannot be required to enter into a lease for use of the ROW pursuant to Section 337.401(c), F.S. However, the City never took that position and Mobilitie quotes the incorrect Section of the Zoning Code. The City never referenced Section 5-2003(C) of the Zoning Code, which requires a lease for property "owned, leased, or otherwise controlled by" the City. Rather, in the March 15 Letter, the City referenced Section 5-2003, which provides generally the requirements for an application to construct wireless facilities in the City.

² The City's registration process is authorized pursuant to Section 337.401(c), F.S., which applies to providers of communications services to place or maintain communications facilities in the ROW. Mobilitie refers to its proposed pole in various different ways including as a "utility infrastructure facility," and as a "proposed concrete pole for mounting proposed lessee antenna" to provide "broadband transport ... wirelessly."

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Mobilitie's registration materials, the City will assume that Mobilitie is a provider of communications services and that it seeks to install communications facilities.

Applicability of Art. 5, Division 20, Telecommunications:

A review of the materials submitted by Mobilitie demonstrates that it intends to install a tower and an antenna in the ROW, as such terms are defined in the City's Zoning Code. Pursuant to Article 8 of the City Zoning Code, the following definitions apply:

Antenna means a transmitting and/or receiving device mounted on a telecommunications tower, building or structure and used in wireless telecommunications services that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies, wireless communications signals and other communications signals including directional antennas such as panel and microwave dish antennas, and omni-directional antennas such as whips, but excluding, radar antennas, amateur radio antennas, satellite earth stations, traditional residential television antennas or microwave antennas.

Telecommunications tower or tower means any structure, and support thereto, designed and constructed primarily for the purpose of supporting one (1) or more antennas intended for transmitting or receiving personal wireless services, telephone, radio and similar communication purposes, including lattice, stealth, monopole, and guyed towers. The term includes microwave telecommunications towers, common-carrier telecommunications towers and cellular telephone telecommunications towers, among others. Light, electric and utility poles are only a support structure and are not a telecommunications tower

Based on these definitions, the facilities Mobilitie has described in its materials, particularly the site plan construction documents, constitute a tower and an antenna.³

Mobilitie has indicated that it intends to install "telecommunications equipment in the public rights of way on poles" but that the zoning requirements do not apply because it is not providing wireless services to end users. (Frankiewich Letter). As a primary matter, it is not clear from the materials that Mobilitie is not providing a wireless service to an end user, which is not a defined term. In any event, under the City's Zoning Code, it does not matter that Mobilitie may not be providing wireless services to end users. The City's Zoning Code does not require that such facilities provide services to end users.

There is no question that the Zoning Code applies to such towers and antennas placed in the ROW. Section 5-2005 S. of the Zoning Code provides, in pertinent part:

³ Mobilitie further asserts that Art. 5, Division 20 is only applicable to "telecommunications facilities." (Simpson Letter). This is not correct based on the language of the Zoning Code. In any event, Mobilitie indicates that it seeks to install "telecommunications facilities." (Frankiewich Letter).

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Telecommunications towers and antennas in the public rights-of-way. Towers and antennas to be installed in the public rights-of-way shall be subject to this Division as well as other provisions of the City Code, including but not limited to Chapter 22, Article VIII, Section 22-200 of the City Code. The height of a telecommunications tower in the public rights-of-way shall not be greater than the height of existing utility poles surrounding the proposed tower and shall be of a design consistent with existing utility poles. All antennas attached to the tower or existing utility poles shall be consistent with the requirements herein.

Mobilitie's materials contain inconsistent and unclear arguments as to why the City's Zoning Code provisions in Art. 5, Division 20 do not apply to its application. To that extent, Mobilitie reserved its rights under applicable law, "including without limitation, the Federal Communications Commission and Shot Clock rules." ((Frankiewich Letter). The FCC's and Florida "shot clock rules" as they are commonly known, are only applicable to applications for the construction of "wireless service facilities." Thus, the City's Zoning Code is applicable to Mobilitie's Permit Application. Mobilitie has not filed the correct application pursuant to Section 5-2003, or paid the application fee, to construct a wireless service facility.

Accordingly, based on the materials submitted by Mobilitie, Mobilitie has not satisfied the requirements for a registration in the City and the City will not process its Permit Application.

Very truly yours

Gary I. Resnick

GIR:js

Cc:

Lina Hickman, City Engineer (via email) Craig Leen, City Attorney (via email)

⁴ See Telecommunications Act of 1996, 47 U.S.C. Section 332(c)(7); Section 365.172(3)(z), FL Statutes.







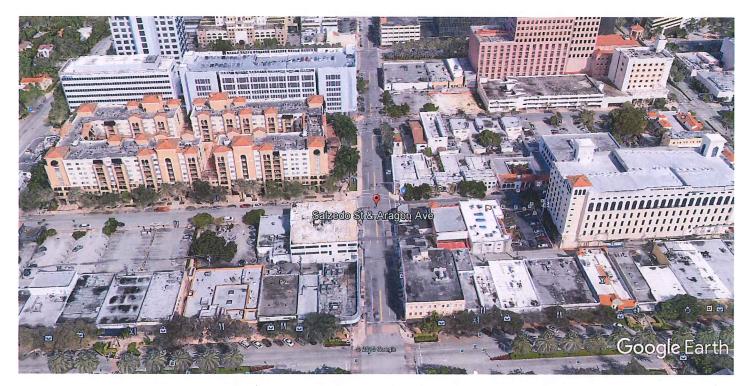






feet 600 meters 100







feet 400 meters



Site of Proposed 120¹ tower adjacent to single family residential properties, near City-owned park.



401 East Las Olas Blvd.

SUITE 1000

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January 4, 2017

VIA ELECTRONIC & US MAIL

Roger Simpson
Director, Government Relations
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3475 Piedmont Road, NE, Suite 100
Atlanta, GA 30305
roger@mobilitie.com

RE: City of Coral Gables, FL | Mobilitie, L.L.C. ("Mobilitie")

Dear Mr. Simpson:

Thank you for meeting with City of Coral Gables ("City") staff and myself regarding Mobilitie, L.L.C.'s ("Mobilitie") goals with respect to installation of facilities in the City's right-of-way ("ROW").

We appreciate that Mobilitie confirmed that it is a communication services provider and that it seeks to install wireless communication facilities, notably towers as defined under federal and state law, as well as associated equipment in the City's ROW. Further, it was useful to learn that Mobilitie's network would provide services for Sprint's and T-Mobile's customers to achieve enhanced data coverage where there are existing gaps.

As was indicated at the meeting, Mobilitie does not have any applications pending with the City. In addition, the City staff made no commitment with respect to Mobilitie's facilities. Thank you again for meeting with us. If you have any further questions, do not hesitate to contact me.

Jary Or

Gary I. Resnick

GIR:js

cc: Peter Iglesias, P.E., Assistant City Manager (via email)

Eduardo Santamaria, P.E. Director of Public Works (via email)

Lina Hickman, P.E., Public Works Engineer (via email)

Craig Leen, City Attorney (via email)

Cristina Suarez, Assistant City Attorney (via email)

Floyd Self, Berger Singerman, LLP (via email)

Genaro "Chip" Iglesias, Ballard Partners (via email)